

CITY COUNCIL ATLANTA, GEORGIA

City Council Atlanta, Georgia

01- 🕜 -0900

AN ORDINANCE

BY: ZONING COMMITTEE

Z-01-36

DATE FILED: 5-15-01

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at 1344-1350-1356-Rear of 1362-Rear of 1370 McClendon Avenue, N.E./457-467 Colvin Street, N.E./1357 Marion Street, N.E./1358 Miller Avenue, N.E. be changed from the R-4 (Single-Family Residential) District to the PD-H (Planned-Development-**Housing)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 240 of the 15th District, DeKalb, County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Khonda Daughin Johnson Municipal Clerk, CMC

ADOPTED by the Council RETURNED WITHOUT SIGNATURE OF THE MAYOR APPROVED as per City Charter Section 2-403

AUG 06, 2001

AUG 15, 2001

Conditions for Z-01-36

- 1. Site plan entitled "Tern Valley Conservation Community" prepared by Village Habitat Design, dated May 14, 2001, last revised July 10, 2001 and marked received by the Bureau of Planning July 10, 2001.
- 2. The mature hardwoods at the location proposed for parking for units 17C and 18C shall be preserved.
- 3. The fence along McClendon Avenue shall be constructed at a height not to exceed 4 (four) feet.
- 4. Prior to the issuance of a grading permit, tree save fencing shall be erected at the drip line of all trees to be preserved, unless exempted by the City Arborist.



LEGAL DESCRIPTION Tern Valley Commons

Z-01-36

Marion Avenue/Miller Avenue Property

Legal Description for the Plat of Property Located in Land Lot 240, 15th District, Dekalb County, Georgia, being more particularly described as follows: From the Northwestern intersection of Oakdale Road and Miller Avenue 260' W along the

Northerly Right of Way of Miller Avenue to the Point of Beginning.

Thence

N 89°13'33" W 404.69' N 00°00'21" W 244.02' S 89°13'33" E 287.63' S 89°13'33"E 100.00' S 00°15'08"E 122.00' S00°37'09"W 122.00' Return to Point of Beginning

McLendon Avenue Property

Legal Description for the Plat of Property Located in Land Lot 240, 15th District, Dekalb County, Georgia, being more particularly described as follow: From the Northwestern intersection of McLendon Avenue and Oakdale Road 365.35 W along the Northerly Right of Way of McLendon Avenue to the Point of Beginning.

Thence

W(along McLendon R/W)	165.00'
N	150.00'
W	48.00'
N	100.00'
E	343.01
S	120.00'
W	75.01
N	20.00'
W	55.00
S	150.00'

Return to Point of Beginning

Access Easements

Easement Connecting the Marion/Miller and McLendon Properties

There is an access easement connecting these two properties, which comprises the following area: From the Northwestern intersection of Oakdale Road and Miller Avenue 375' West along the Northerly Right of Way of Miller Avenue, thence South 50' across Miller Avenue to the Point of Beginning.

Thence

S	280.00'
W	20.00'
N	280.00'
E	20.00'

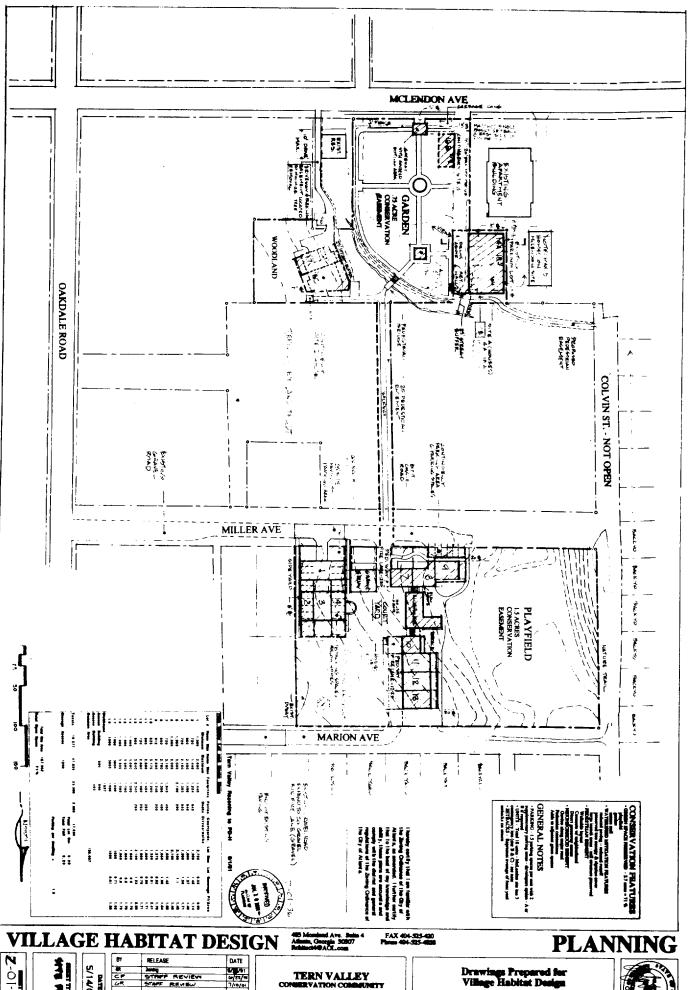
Return to Point of Beginning

McLendon Access Easement

There is an access easement allowing car access from McLendon Avenue which comprises the following area: From the Northwesterly intersection of McLendon Avenue and Oakdale Road 310.35' W to the Point of Beginning.

T	h	e	n	c	e

S89°18'36"W	12.00'
N00°44'30"W	149.82
N89°30'02"E	12.00'
S00°44'30"E	149.82
Return to Point of Reginning	



2-01-36

5/14/01

BY GP GR DATE

DATE

DITE

Drawings Prepared for Village Habitat Design



Atlanta City Council

Regular Session

MULTIPLE

01-0-0896; 01-0-0900; 01-0-0902; 01-0-0903; 01-0-0904 ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y	McCarty Starnes Bond	Y	Dorsey Woolard Morris	Y	Moore Martin	Y	Thomas Emmons
		Y	Morris	Y	Maddox	Y	Alexander
Y	Winslow	Y	Muller	Y	Boazman	NV	Pitts

□Consent □ V Vote ☑ RC Vote □1st & 2nd □3rd もなしイン WITHOUT SIGNATURE BY OPERATION OF LAW COUNCIL ACTION MAYOR'S ACTION ASTA SITY COUNCIL PRESIDENT APPROVED R. B. B. CLERK MUNICIPAL CLERK AUG 1 5 2001 AUG 0 6 2001 CERTIFIED □2nd Fav, Adv, Held (see rev. side) Fav, Adv, Held (see rev. side) Committee Committee Members Members Refer To Refer To Actions **Action:** Other Officer Chair Chair Sep JUNIVO First Reading Fav, Adv, Held (see rev. side) Fay, Adv, Held (see rav. side) Committee Line chi M Starre Committee Members Refer To Committee Members Refer To Actions Chair Other Date Chair Date APPLICANT: VILLAGE HABITAT, INC. STREET, N.E./1358 MILLER AVENUE, MCCLENDON AVENUE, N.E./457-467 COLVIN STREET, N.E./1357 MARION COUNCIL DISTRICT 6 AN ORDINANCE TO REZONE FROM THE BEGINNING 365.36 FEET WEST FROM THE NORTHWEST CORNER OF OAKDALE R-4 (SINGLE-FAMILY RESIDENTIAL) ADOPTED BY AUG 0 6 2001 N.E., FRONTING 165 FEET ON THE NORTH SIDE OF MCCLENDON AVENUE APPROXIMATELY 3.34 ACRES; LAND LOT 240, 15th DISTRICT, DEKALB Zening DISTRICT, TO THE PD-H (PLANNED 1356 REAR OF 1362-REAR OF 1370 DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 1344-1350-COUNCIL VARIES; AREA: EUCLID THEATRE, INC. ET AL CDINANCE Z-01-36 ZONING COMMITTEE 01- ()-0900 (Do Not Write Above This Line) 1st ADOPT 2nd READ & REFER REGULAR REPORT REFER Date Referred (0/19 GREG RAMSEY ADVERTISE & REFER COUNTY, GEORGIA. DEPTH: CONSENT REFER AN ORDINANCE Referred To: OWNER: ROAD.